THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P. NO.15602 OF 1996

BETWEEN:

B.Sesha Reddy and others

…petitioners

Vs.

The Commissioner for Cooperation and Registrar of Cooperative Societies, Hyderabad and others

.. Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P. NO.15602 OF 1996

ORAL ORDER

It is represented by the learned counsel for the 2nd respondent-Bank that all the petitioners have since retired from service and petitioner Nos.2 and 3 were promoted as Managers and 4th petitioner has died.

The writ petition is filed questioning the potential action of the 2nd respondent in considering promotions to the category of Assistant Managers/Executive Officers and Accountants, as illegal and contrary to the circular of the 1st respondent dated.15-06-1996. The petitioners claim to have been appointed as Engineering Supervisors during 1971-1974. They claim to have been appointed as such in the erstwhile Primary Agricultural Development Bank of Venkatagiri, Gudur, Atmakur and Kovvur, which are under the control of the A.P. Cooperative Central Agricultural Development Bank, Hyderabad. The petitioners assert that the posts of Assistant Manager and Executive Officer were introduced in 1970 and the petitioner Nos.2 and 3 were working as in charge Managers in the branches of District Cooperative Central Bank, Podalakur and Rapur respectively. The petitioners further assert that in 1975 the cadre of Engineering Supervisors of Primary Agricultural Development Bank were centralised and brought under the control of A.P. Central Cooperative Agricultural Bank, Hyderabad and in 1980 the Central Agricultural Development

Bank revised the pay scales and again revised the pay scales in 1984. The petitioners also assert that the Central Agricultural Development Bank has equated the scales of pay of the posts of Assistant Manager/Executive Officers/Engineering Supervisors.

According to the petitioners, in 1987 the State abolished the Primary Agricultural Development Banks and transferred the management assets and liabilities of these institutions to the District Cooperative Central Banks with effect from 01-04-1987. After the said re-organisation the State Government framed Rule.73 of the A.P. Cooperative Societies Rules setting out guidelines governing in the service conditions of employees of the erstwhile Primary Agricultural Development Banks and District Cooperative Central Banks. As per Rule.73, the petitioners assert that the cadres of the erstwhile Primary Agricultural Development Banks were equated with the cadre of District Cooperative Central Banks for the post of Assistant Managers/ Engineering Supervisors. These posts were kept as distinct categories. The petitioners submitted a representation to the 1st respondent about this anomaly. There upon, the 1st respondent issued a circular dated.15-06-1996 directing that Engineering Supervisors be treated on part with the Assistant Manager/Executive Officer and providing a channel for Engineering Supervisors to be promoted as Managers. On the basis of this circular, the petitioners claim promotion and seek a relief on an apprehension that the 2nd respondent-Bank would not consider their promotions in the meeting scheduled on 07-09-1996. The writ petition was filed on 05-08-1996 on the basis of a mere apprehension. There was no cause of action or any action taken by the 2nd respondent warranting an adjudication.

As the writ petition was filed on the basis of a mere

apprehension, no relief was warranted nor any relief could be granted now. The writ petition is without merits and is accordingly dismissed. In the circumstances no order as to costs.

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GODA RAGHURAM,J

12th DECEMBER 22006
***TSNR**